

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA

IN RE:

ANNAMAY R. HAVERKAMP,

Debtor.

CASE NO. BK 09-80100

CHAPTER 13

**AFFIDAVIT**

STATE OF ARIZONA                     )  
  ) ss.  
COUNTY OF MARICOPA             )

**OLIVIA TODD**, being first duly sworn upon oath, deposes and states as follows:

1. That I am President for National Default Servicing Corporation, authorized servicing agent for U.S. Bank, N.A., its Successors and/or Assigns (hereinafter "U.S. Bank"), and in said capacity have access to all the books and records maintained by U.S. Bank concerning the account of Debtor Annamay R. Haverkamp, and have personal knowledge of same.

2. That on or about July 14, 2006, Debtor executed and delivered her Note in writing to Great Western Bank in the original principal amount of \$101,300.00 plus interest as it accrues at the rate of 2.67% per annum. A copy of said Note is attached hereto and marked as Exhibit "A".

3. That as security for said Note, on or about July 14, 2006, Debtor executed and delivered to Great Western Bank as Lender and Mortgage Electronic Registration Systems, Inc., as nominee for Lender and Lender's successors and assigns (MERS) as Beneficiary, in writing her Deed of Trust wherein Debtor conveyed to MERS the following described real property commonly known as 7001 Chandler Hills, Bellevue, Nebraska, and legally described as follows:

LOT 244, IN CHANDLER HILLS, A SUBDIVISION, AS SURVEYED,  
PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA.

A copy of said Deed of Trust is attached hereto and marked as Exhibit "B".

4. That the Deed of Trust was assigned by Assignment executed September 25, 2008, from MERS in favor of U.S. Bank, N.A. A copy of said Assignment is attached hereto and marked as Exhibit "C".

5. That the Debtor's Chapter 13 Plan generally provides for payment of U.S. Bank's claim by paying the pre-Petition arrearage through her Chapter 13 Plan and by paying the regular monthly mortgage payments directly to U.S. Bank as these payments ordinarily come due beginning with the first due date after the case is filed.

6. That the Debtor's Chapter 13 Plan was confirmed by the Court on or about April 13, 2009.

7. That the Debtor has defaulted under the terms of the Note and Deed of Trust and her confirmed Chapter 13 Plan by failing to make her post-Petition payments directly to U.S. Bank as follows:

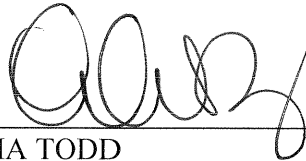
a)	4 Post-Petition payments @ \$634.75 (6/1/2009 through 9/1/2009)	\$2,539.00
b)	3 Late Charge @ \$25.39 (6/2009 through 8/2009)	\$ 76.17
c)	Debtor's Suspense Balance	(\$ 60.75)
d)	Post-Petition Property Inspections	\$ 21.00
e)	Bankruptcy Attorney Fees and Costs	<u>\$ 800.00</u>

**TOTAL POST PETITION DELINQUENCY** \$ 3,375.42

8. That the total unpaid principal balance now due and owing under the terms of said Note and Deed of Trust is \$96,931.01 as of August 28, 2009, with interest accruing at the rate of 2.67% per annum.

**FURTHER AFFIANT SAYETH NOT.**

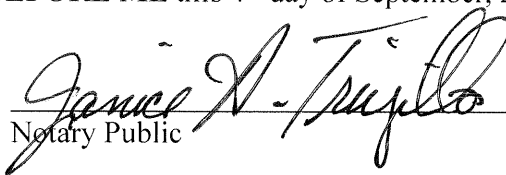
**DATED** this 4<sup>th</sup> day of September, 2009.



OLIVIA TODD

Title: President for National Default Servicing Corporation,  
authorized servicing agent for U.S. Bank, N.A., its  
Successors and/or Assigns

**SUBSCRIBED TO AND SWORN BEFORE ME** this 4<sup>th</sup> day of September, 2009.

  
Notary Public

CERTIFICATE OF SERVICE

I hereby certify that on September 9, 2009, I electronically filed the foregoing Affidavit with the Clerk of the United States Bankruptcy Court for the District of Nebraska using the CM/ECF system which sent notification of such filing by electronic mail to Erin M. McCartney, Debtor's Attorney; Kathleen Laughlin, Chapter 13 Trustee, and I hereby certify that I have mailed by United States Mail, postage prepaid, the foregoing to the following non CM/ECF participant:

DEBTOR

AnnaMay R. Haverkamp  
7001 Chandler Hills Drive  
Bellevue, Nebraska 68147

  
\_\_\_\_\_  
/s/Matthew E. Eck